

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on



April 14, 2004

Date of Deposit

Steven P. Shurtz, 31,424

Name of Applicant, Assignee or
Registered Representative

Steven P. Shurtz

Signature

4-14-04

Date of Signature

Our Case No.: 396-488

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Leahey

Serial No.: 10/755,980

Filing Date: January 13, 2004

For: BACTERIAL RETENTIVE, AIR
VENTING INTRAVENOUS FILTER

Examiner: N/A

Group Art Unit No.: N/A

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

U. S. Patent Documents

No.	Date	Name
4,294,594	10/13/1981	Sloane, Jr. et. al.
5,348,646	09/20/1994	Costello, Jr. et al.
5,439,587	08/08/1995	Stankowski et al.
5,827,429	10/27/1998	Ruschke et al.

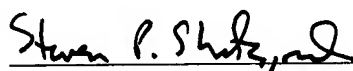
Other Art

<i>Filtration Solutions, for the health care industry</i> , Gelman Sciences, Products Pamphlet, undated but prior to January 15, 2003, 6 pages
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This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Steven P. Shurtz
Registration No. 31,424
Attorney for Applicant

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FORM PTO-1449	SERIAL NO. 10/755,980	CASE NO. 396-488
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE January 13, 2004	GROUP ART UNIT N/A
(use several sheets if necessary)	APPLICANT(S): John Leahey	

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	4,294,594	10/13/1981	Sloane, Jr. et. al.	55/186	
	A2	5,348,646	09/20/1994	Costello, Jr. et al.	210/94	
	A3	5,439,587	08/08/1995	Stankowski et al.	210/321.64	
	A4	5,827,429	10/27/1998	Ruschke et al.	210/321.75	

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	A5	<i>Filtration Solutions, for the health care industry</i> , Gelman Sciences, Products Pamphlet, undated but prior to January 15, 2003, 6 pages

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRANSMITTAL LETTER			Case No. 396-488
Serial No. 10/755,980	Filing Date January 13, 2004	Examiner n/a	Group Art Unit n/a
Inventor(s) John Leahey			
Title of Invention BACTERIAL RETENTIVE, AIR VENTING INTRAVENOUS FILTER			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, copy of reference A5, return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus			x \$9 =			x \$18 =	
Indep.		Minus			x 43 =			x \$86 =	
First Presentation of Multiple Dep. Claim					+ \$145 =			+ \$290 =	
					Total add'l fee	\$		Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Steven P. Shurtz, ml

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2004.

Date: 4-14-04

Signature: Steven P. Shurtz/ml